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General Assembly

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Fifty-fourth session
Fifth Committee
Agenda item 17 (e)
Appointments to fill vacancies in subsidiary organs and other appointments

Appointment of members of the United Nations Administrative Tribunal

Note by the Secretary-General

1. As indicated in document A/54/105 of 15 July 1999, the General Assembly will be required, during its current session, to appoint two persons to fill vacancies that will occur in the membership of the United Nations Administrative Tribunal beginning on 1 January 2000.

2. The following persons have been nominated by their respective Governments for appointment or reappointment:

Mr. Julio **Barboza** (Argentina);

Mr. Mayer **Gabay** (Israel).

3. The candidates' curricula vitae follow.

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Julio Barboza (Argentina)

Ambassador (retired), Argentine Foreign Service.

Member and former Chairman of the United Nations International Law Commission. Special rapporteur on international liability for injurious consequences arising out of acts not prohibited by international law.

Professor of public international law, National University of Buenos Aires.

Education

Graduate, Faculty of Law and Social Sciences, National University of Buenos Aires, 1950.

Graduate *cum laude*, Master of Laws in Comparative Law, Southern Methodist University, Dallas, Texas, United States of America.

Seminars in the postgraduate programme in public international law, Columbia University, New York, 1952/53.

Seminar on watercourses of international interest, The Hague Academy of International Law, 1961.

Courses at The Hague Academy of International Law, 1961.

Courses and seminars for counsellors, Argentine Foreign Service Institute, 1969.

Seminar on United Nations peacekeeping operations organized by the International Peace Academy and the Diplomatic Academy, Lima, 1978.

Academic career

At present, professor of international law, Catholic Universities of Buenos Aires and Belgrano, and professor, postgraduate department, Buenos Aires University School of Law.

Member of the jury in charge of selecting professors of international law, School of Law, University of Buenos Aires.

Former professor of international law at Buenos Aires University, at the University of El Salvador, the Argentine Foreign Service Institute, the University of Morón and the Catholic University of Córdoba.

Former professor of international relations and international organizations, Argentine Foreign Service Institute.

Assistant professor, Parker School of Comparative Law, Columbia University, New York, 1954.

Visiting professor of civil law, School of Law, Southern Methodist University, Dallas, United States of America, 1959.

Visiting professor, Inter-American Institute of International Law, Organization of American States, Rio de Janeiro, Brazil.

Professor, The Hague Academy of International Law, 1994.

Lectures on international law and international relations

Lectures at Buenos Aires, Rosario, Córdoba and Santa Fé, Argentina.

Lectures at the Institut de Hautes études internationales, Geneva, at the Bar Association of the City of New York and Columbia University, at the Institutes of State and Law, Warsaw (1979-1984), and Prague (1987-1991), and at several sessions of the Seminar on International Law of the International Law Commission, Geneva.

Scientific meetings and contributions

Second national meeting on air and space law, Córdoba, Argentina, 1978.

Rapporteur, first national seminar of professors and researchers in international law, Rosario, Argentina, 1968.

Third national meeting on air and space law, Buenos Aires, 1969.

Congress of the Hispano-Luso-American Institute for International Law, Buenos Aires, 1969.

Second national meeting of professors and researchers in international law, Córdoba, 1969.

Rapporteur, fourth national meeting on air and space law, Morón, 1970.

Represented the Ministry of Foreign Affairs at the meeting of experts organized by the United Nations Institute for Training and Research and the Department of Water Resources of Argentina on aspects of international watercourses, Buenos Aires, 1970.

Meeting of the Ibero-American Institute of Air and Space Law, Seville, Spain, 1973.

Seminar on United Nations peacekeeping forces, Peruvian Foreign Service Academy and the Peace Academy, Lima, 1978.

Meeting of legal and political experts to prepare a draft convention on protection of the atmosphere, Ottawa, 1988.

Meeting of the ad hoc group of the International Atomic Energy Agency on modification of the Vienna and Paris Conventions on liability for nuclear damage, Vienna, 1989.

Chairman, meeting of the consultative preparatory committee for preparation of draft elements for a protocol on liability to the Basel Convention on hazardous wastes, Geneva, 1990.

Chairman, meeting of the ad hoc working group of legal and technical experts pursuant to resolution 3 of the Basel Conference on hazardous wastes, Geneva, 1990.

Meeting of legal experts to examine the implications of the "common concern of mankind" concept on global environmental questions, Valletta, 1990.

Meeting of legal experts to review elements of a draft convention on the protection of biological diversity, Nairobi, 1991.

Meeting convened by the United Nations Environment Programme to review the Montevideo Programme, Geneva, 1991.

Meeting convened by the International Union for the Conservation of Nature and Natural Resources (IUCN) and the International Council of Environmental Law (ICEL), to prepare a draft protocol on principles of international law for environmental protection, Bonn, 1992.

Meetings of legal experts to review the current status of international environmental law in Latin America and the Caribbean, Mexico City, 1993, and Geneva, 1995.

IUCN General Assembly; chaired workshop on the draft Protocol of Principles of Environmental Protection prepared by ICEL and the IUCN Environmental Law Commission, Buenos Aires, 1994.

International Law Association meeting; speaker at workshop on the development of international environmental law following the Rio Conference on Environment and Development, Buenos Aires.

Chaired committee on liability for damage caused by the transboundary movement of hazardous wastes and presented a paper on the subject at a meeting in Doha, Qatar, 1994.

Participated in a panel on international politics and the national interest on the subject of "arbitration and the national interest", University of Belgrano, Buenos Aires, 1994.

First and second meetings of the expert working group on liability for environmental damage caused by military activities, convened by UNEP and the Foundation for International Environmental Law and Development, London and Geneva, 1995.

Attended a seminar at Abo Akademi University on liability for environmental damage and presented a paper on the subject, Turku, Finland, 1995.

Publications

"La enseñanza en las escuelas de derecho de los Estados Unidos" (Legal education in law schools of the United States), *La Ley*, Buenos Aires, September 1954.

"Norma y realidad en los delitos de omisión" (Legal norm and reality in crimes of omission), *Del pensamiento jurídico argentino actual* (Today's Argentine Legal Thinking), Editorial Arayu, Buenos Aires, 1952.

"Objeto y facultad calificadora en el asilo diplomático" (Diplomatic asylum: its object and the power to qualify the offence), *Jurisprudencia Argentina*, 1959, and *Revista Peruana de Jurisprudencia*, 1960.

"Individuo, comunidad y derecho internacional" (The individual, the community and international law), *Jurisprudencia Argentina*, 16 February 1967.

"The Beagle Channel Affair", *American Journal of International Law*, vol. 71, No. 4, October 1977, under the pen name "F.V.".

"Necessity (revisited) in international law", *Essays in International Law in Honour of Judge Manfred Lachs*, Martinus Nijhoff, The Hague, 1984.

"El derecho de los cursos de agua internacionales en la Comision de Derecho Internacional de las Naciones Unidas" (The law of international watercourses in the International Law Commission), *Revista argentina de derecho militar*, Buenos Aires, April 1984.

"The international personality of the individual", *Studi in onore di Giuseppe/Sperduti*, Giuffre Publishers, Rome, 1984.

"La necesidad en el derecho internacional", *Anuario de la Asociación Argentina de Derecho Internacional*, 1984.

"El principio bioceánico sobre el arbitraje del Beagle" (The bi-oceanic principle in the *Beagle Channel* arbitration), *Revista del Centro de Investigación y Acción Social*, Buenos Aires, March 1985.

"Las cláusulas de las islas", *Revista del Centro de Investigación y Acción Social*, Buenos Aires, November 1985.

"Responsabilidad internacional de los Estados por hechos ilicitos" (State responsibility for wrongful acts), *Revista del Colegio de Abogados de Buenos Aires*, 1986.

"La Comision de Derecho Internacional de las Naciones Unidas" (The United Nations International Law Commission), *Anuario de la Asociación Argentina de Derecho Internacional* (*Yearbook of the Argentine Association for International Law*), 1988.

"La responsabilité 'causale' à la Commission de Droit International" ("Strict liability" in the International Law Commission), *Annuaire Français de Droit International*, Paris, 1989.

"La responsabilidad internacional en la Convención para la reglamentación de las actividades sobre recursos minerales antárticos" (International responsibility in the Convention on Activities for Antarctic Mineral Resources), Consejo Argentino para las Relaciones Internacionales, 1990.

"Responsabilidad internacional por actos no prohibidos" (International liability for acts not prohibited), *Revista del Colegio de Abogados de Buenos Aires*, August 1990.

"La convención de protección de la diversidad biológica de las Naciones Unidas" (The United Nations Convention on Biological Diversity), *Evolución reciente del derecho ambiental internacional*, Editorial A-Z, Buenos Aires, 1993.

"La responsibilidad en el Protocolo al Convenio de Basilea" (Responsibility in the Protocol to the Basel Convention), *Revista de Política y derecho ambientales*, Vol. 1, No. 2, 1994.

"La responsibilidad *sine delicto* en el derecho internacional" (Responsibility sine delicto in international law), *Anuario del Instituto Hispano-Luso-Americano de Derecho Internacional*, 1994.

Eleven articles on international liability for acts not prohibited by international law, published by the International Law Commission of the United Nations, 1985-1995.

Several articles on international relations in Buenos Aires magazines and newspapers. Currently writing a weekly column of international analysis in the Buenos Aires newspaper *La Prensa*.

Spanish translation of "Towards a realistic jurisprudence", by Professor Alf Ross, under the title "Hacia una ciencia del derecho realista", Buenos Aires, 1965.

Scientific institutions

Member of the International Law Association.

Member of the Instituto Hispano-Luso-Americano de Derecho Internacional.

Member of the Asociación Argentina de Derecho Internacional (Argentine Association of International Law).

Former member of the American Association of International Law

Member of the Institut International de Droit de l'Espace.

Member of the Consejo Argentino para las Relaciones Internacionales (Argentine Council for International Relations).

International meetings (Argentine delegate)

Fifth Consultative Meeting of Ministers of Foreign Affairs, Santiago, Chile, 1959.

Diplomatic Conference on Maritime Law, Brussels, 1961.

Regional Consultative Meeting of Jurists convened by the World Bank, Santiago, 1963.

Eighth Regional Conference of the Food and Agriculture Organization of the United Nations, Viña del Mar, Chile, 1965.

United Nations Special Committee on principles of international law concerning friendly relations and cooperation among States, according to the Charter of the United Nations, Geneva, 1970.

United Nations Special Committee on the peaceful use of the sea-bed and the ocean floor beyond the limits of national jurisdiction, Geneva, 1970.

Regular sessions of the General Assembly of the Organization of American States, Washington, D.C., 1970 and 1977, and Brasilia, 1984.

Seventeenth and thirty-second to thirty-seventh, thirty-ninth, forty-eighth and forty-ninth sessions of the United Nations General Assembly.

Tenth special session of the United Nations General Assembly devoted to disarmament, 1978.

Special Ministerial Conference of the Movement of Non-Aligned Countries, Belgrade, 1978, and special meetings of the Coordinating Bureau of the Movement of Non-Aligned Countries, Maputo, 1979, and New Delhi, 1988.

Third meeting of the special group of experts on biological diversity, Geneva, 1990.

First, second and third meetings of the ad hoc working group of legal and technical experts on biological diversity, Nairobi, 1990, 1991 and 1992.

Positions held

Worked in the legal and political fields in the Argentine Foreign Service. In particular, served as Legal Adviser to the Ministry of Foreign Affairs.

Director of the Bureau of International Organizations and member of the Foreign Minister's Cabinet. Acted on behalf of the Argentine Government in the *Beagle Channel* case.

Past member of the Committee on Legal, Political and Social Sciences of the National Commission on Space Research and of the Permanent Advisory Commission on the legal aspects of the use of nuclear energy of the National Atomic Energy Commission of Argentina.

Decorations

Orders of El Sol, Peru; of Merit, Ecuador; Cruzeiro do Sul, Brazil, in the rank of Gran Cruz; Bernardo de O'Higgins, Chile, San Carlos, Colombia; Merit of South Korea, in the rank of Gran Oficial; and Merit, Poland, in the rank of Commander.

Mayer Gabay (Israel)

Education

Hebrew University of Jerusalem — Master of Laws with distinction (highest honours), 1958.

Columbia University, New York — Master of Comparative Law, 1961-1962 (international transactions, taxation, insurance, intellectual property law).

London School of Economics and Political Science, University of London, United Kingdom of Great Britain and Northern Ireland, 1962-1963 — research study on taxation of international financial transactions.

Major activities

1998-present	First Vice President of the United Nations Administrative Tribunal.
1994-present	Member of the United Nations Administrative Tribunal.
1987-1993	Civil Service Commissioner, Government of Israel (government appointment; responsible for administrative, legal and disciplinary aspects of all government personnel and related agencies).
1976-1987	Director General, Ministry of Justice, Israel (responsible for all substantive departmental services within the Ministry; Legal Adviser to the Ministerial Committee on Economic Affairs).
1973-1976	Deputy Attorney General, Ministry of Justice, Israel (responsible for government advisory services on matters of economic and commercial law, including international economic relations and treaties).
1969-1973	Commissioner of Patents, Designs, Trademarks and Copyright, Government of Israel, Jerusalem (responsible for policy, administration, judicial decisions and international arrangements concerning industrial property and copyright).
1963-1969	Chief, Investment Unit, Department of Economic and Social Affairs, United Nations, New York (responsibilities included advisory services and international operations concerning the promotion of investment and technology transfer to developing countries, transfer of technology arrangements, taxation, patents administration and legislation).
1958-1961	Practice of law.

Advisory services

United Nations: Mission to Peru, 18-22 October 1971, to review with the relevant departments in the Ministry of Economy and Finance their proposed legal and administrative instruments relating to investments, including the need for a proposed centre for investment and technology.

United Nations: Mission to Bolivia, 20-23 October 1971, to provide comments for the Minister of Commerce and Industry on a contemplated new draft law on investment and acquisition of technology.

Advisory mission to Republic of Korea on investment and transfer of technology legislation (March, 1973).

Member of Expert Group on Export Credit Guarantee Facility (1975-1976).

Member of several international expert committees on taxation, foreign investment and intellectual property legislation (1975-1998).

University teaching

1958-1961	Hebrew University of Jerusalem, business and contract law.
1969-present	Law schools of the Hebrew University of Jerusalem and University of Tel Aviv, international economic and trade law and intellectual property law.

International conferences

United Nations representative to the Stockholm Diplomatic Conference (1967) for the revision of the Bern and Paris conventions and the establishment of the World Intellectual Property Organization.

Member of the United Nations Expert Committee on Transfer of Technology and Know-How to Developing Countries (1971).

Elected to the Universal Copyright Intergovernmental Committee (1971) and the Bern Convention Executive Committee (1973), Deputy President of the Intergovernmental Committee (1977) and President of the Committee (1997-present).

Head of Israel's delegation to the Diplomatic Conference on the Revision of the Universal Copyright Convention and the Bern Convention for the Protection of Literary and Artistic Works (Paris, July 1971).

Represented Israel in many other international conferences concerned with international economic relations and human rights.

Head of Israel's delegations to the fourth, fifth and sixth United Nations Conferences on Trade and Development (Nairobi, 1976; Manila, 1979; and Belgrade, 1983).

Other activities

Chairman of the Israel Auditors' Council (1976-1987). Member of the Council of the Israel Bar Association (1976-1990). President of the United Nations Association in Israel (since 1980). Chairman of the International Council, the International Association of Jewish Lawyers and Jurists (since 1989). President of the Israeli Section, the International Association of Jurists (since 1991). Member of the Israel team negotiating the autonomy proposal under the Camp David accords (1979-1982). Member of the World Bank pool of arbitrators under the International Centre for Settlement of Investment Disputes (since 1983). Member of Supreme Court Justice Aharon Barak Committee for the Preparation of a new Israeli Corporation Law (since 1986). Chairman of the patent and copyright law revision committees (since 1987). Member of the United Nations Group of Experts on International Cooperation in Tax Matters, Department of Economic and Social Affairs (since 1982).

Publications

Published and was jointly responsible for a series of publications in the field of foreign investment, international taxation, intellectual property law and an article entitled "Legal aspects of the Camp David framework for peace in relation to the autonomy proposal" (*The Concept of Autonomy*, ed. by Prof. Dinstein, 1982).

Languages

Hebrew, English and Spanish — very good knowledge. Arabic and French — fair.